

Commission Review

Log of Permanent Rule Filings

May 22, 2018 through June 20, 2018

* Approval Recommended, ** Objection Recommended, *** Other, P Pre-reviewed

BANKING COMMISSION

The rules in Subchapter 3E concern licensees under North Carolina Consumer Finance Act including licensing (.0100); actions requiring approval of commissioner of banks (.0200); reports required by commissioner of banks (.0300); examination (.0400); enforcement (.0500); and consumer finance offices (.0600).

<u>Application</u>	04	NCAC	03E	.0101
Readopt with Changes*				
<u>Approval</u>	04	NCAC	03E	.0102
Repeal*				
<u>Operation of Other Business in Same Office</u>	04	NCAC	03E	.0201
Repeal*				
<u>Transfer of License and Change of Location</u>	04	NCAC	03E	.0204
Readopt without Changes*				
<u>Annual Report</u>	04	NCAC	03E	.0302
Readopt without Changes*				
<u>Examination</u>	04	NCAC	03E	.0401
Repeal*				
<u>Reports of Examination</u>	04	NCAC	03E	.0402
Repeal*				
<u>Books, Records, and Application of Fees</u>	04	NCAC	03E	.0601
Readopt with Changes*				
<u>Collection Practices</u>	04	NCAC	03E	.0602
Repeal*				

The rules in Subchapter 3F concern licensees under money transmitters act including administrative (.0200); licensing (.0300); operations (.0400); reporting and notifications (.0500); examination books and records (.0600); and license revocation (.0700).

<u>Definitions</u>	04	NCAC	03F	.0201
Repeal*				
<u>Incomplete Applications</u>	04	NCAC	03F	.0301
Readopt with Changes*				
<u>Surrender of License</u>	04	NCAC	03F	.0402
Repeal*				
<u>Generally Accepted Accounting Principles</u>	04	NCAC	03F	.0501
Repeal*				
<u>Agent Activity Reports</u>	04	NCAC	03F	.0504
Repeal*				
<u>Amendments to Application</u>	04	NCAC	03F	.0505
Repeal*				
<u>Revocation or Cancellation of Surety Bond</u>	04	NCAC	03F	.0506
Repeal*				
<u>Ceasing Operations</u>	04	NCAC	03F	.0507

Repeal*				
<u>Impairment of Minimum Net Worth</u>	04	NCAC	03F	.0508
Repeal*				
<u>Dishonor or Default In Payment Instrument</u>	04	NCAC	03F	.0509
Repeal*				
<u>Record and Bookkeeping Requirements</u>	04	NCAC	03F	.0601
Repeal*				
<u>Examination Fee</u>	04	NCAC	03F	.0602
Repeal*				

The rules in Subchapter 3H concern applications by regional bank holding companies including applications (.0100).

<u>Regional Bank Holding Company Acquisitions</u>	04	NCAC	03H	.0102
Repeal*				
<u>Bank Holding Company Registration</u>	04	NCAC	03H	.0103
Repeal*				

The rules in Subchapter 3J concern refund anticipation loan including administrative (.0100); application and renewal (.0200); operations, reporting requirements, notifications (.0300); and enforcement (.0400).

<u>Definitions; Filings</u>	04	NCAC	03J	.0101
Readopt with Changes*				
<u>Application for Registration as a Facilitator</u>	04	NCAC	03J	.0201
Readopt with Changes*				
<u>Issuance of a Certificate or Registration</u>	04	NCAC	03J	.0202
Repeal*				
<u>Expiration and Renewal</u>	04	NCAC	03J	.0203
Repeal*				
<u>Application for Renewal of Certificate of Registration</u>	04	NCAC	03J	.0204
Readopt without Changes*				
<u>Nontransferability of Certificate of Registration</u>	04	NCAC	03J	.0205
Readopt with Changes*				
<u>Check Cashing Services</u>	04	NCAC	03J	.0301
Repeal*				
<u>Record and Bookkeeping Requirements</u>	04	NCAC	03J	.0302
Readopt with Changes*				
<u>Filing and Posting of Fee Schedule</u>	04	NCAC	03J	.0303
Readopt without Changes*				
<u>Disclosures</u>	04	NCAC	03J	.0304
Readopt with Changes*				
<u>Amendments to Application</u>	04	NCAC	03J	.0305
Readopt without Changes*				
<u>Cessation of Operations</u>	04	NCAC	03J	.0306
Repeal*				
<u>Hearings</u>	04	NCAC	03J	.0401
Repeal*				
<u>Examinations, Audits</u>	04	NCAC	03J	.0402
Readopt without Changes*				

The rules in Subchapter 3K concern reverse mortgages including administrative (.0100); authorization of reverse mortgage lenders (.0200); requirements for authorization (.0300); operations, notifications, and reporting (.0400); disclosure requirements (.0500); counseling (.0600); and prohibited acts and practices; enforcement actions (.0700).

<u>Definitions; Filings</u>	04	NCAC	03K	.0101
Readopt with Changes*				
<u>Application for Authorization as a Reverse Mortgage Lender</u>	04	NCAC	03K	.0201
Readopt with Changes*				
<u>Notification of Intent to Engage in Reverse Mortgage Lending</u>	04	NCAC	03K	.0202
Repeal*				
<u>Current Authorized Lender Information</u>	04	NCAC	03K	.0203
Readopt with Changes*				
<u>Annual Renewal Fee</u>	04	NCAC	03K	.0204
Readopt without Changes*				
<u>Certificate of Authorization</u>	04	NCAC	03K	.0205
Repeal*				
<u>Nontransferability of Certificate of Authorization</u>	04	NCAC	03K	.0206
Readopt with Changes*				
<u>Minimum Net Worth Requirement for Authorized Lender or Le...</u>	04	NCAC	03K	.0301
Repeal*				
<u>Surety Bonds</u>	04	NCAC	03K	.0302
Readopt without Changes*				
<u>Certified Financial Statements</u>	04	NCAC	03K	.0401
Repeal*				
<u>Record and Bookkeeping Requirements</u>	04	NCAC	03K	.0402
Readopt with Changes*				
<u>Examinations</u>	04	NCAC	03K	.0403
Readopt without Changes*				
<u>Withdrawal/Termination of Authorization as Reverse Mtg. L...</u>	04	NCAC	03K	.0404
Readopt without Changes**				
<u>Impairment of Minimum Net Worth, and Surety Bond</u>	04	NCAC	03K	.0405
Readopt without Changes*				
<u>Reverse Mortgage Lender Application Disclosure</u>	04	NCAC	03K	.0501
Repeal*				
<u>Permitted Fees</u>	04	NCAC	03K	.0502
Repeal*				
<u>Counseling</u>	04	NCAC	03K	.0601
Repeal*				
<u>Prohibited Acts</u>	04	NCAC	03K	.0701
Repeal*				
<u>Enforcement Actions</u>	04	NCAC	03K	.0702
Readopt without Changes*				
<u>Hearings</u>	04	NCAC	03K	.0703
Repeal*				

The rules in Subchapter 3L concern check-cashing businesses including administrative (.0100); application (.0200); licensing (.0300); operations (.0400); books and records examinations (.0500); and reporting and notification requirements (.0600).

<u>Definitions</u>	04	NCAC	03L	.0101
--------------------	----	------	-----	-------

Readopt without Changes*				
<u>Filings</u>	04	NCAC	03L	.0102
Readopt with Changes*				
<u>Application for License</u>	04	NCAC	03L	.0201
Readopt without Changes*				
<u>Fees</u>	04	NCAC	03L	.0202
Repeal*				
<u>Issuance</u>	04	NCAC	03L	.0301
Repeal*				
<u>Nontransferability of License</u>	04	NCAC	03L	.0302
Readopt without Changes*				
<u>Annual Renewal of License</u>	04	NCAC	03L	.0303
Readopt with Changes*				
<u>Posting of License or Branch Certificate</u>	04	NCAC	03L	.0401
Readopt without Changes*				
<u>Surrender of License</u>	04	NCAC	03L	.0402
Readopt without Changes*				
<u>Posting of Fees</u>	04	NCAC	03L	.0403
Readopt without Changes*				
<u>Books and Records</u>	04	NCAC	03L	.0501
Readopt with Changes*				
<u>Examinations</u>	04	NCAC	03L	.0502
Readopt with Changes*				
<u>Amendments to Information on File with the Commissioner</u>	04	NCAC	03L	.0601
Readopt without Changes*				
<u>Expansion or Relocation</u>	04	NCAC	03L	.0602
Readopt without Changes*				
<u>Impairment of Financial Requirements</u>	04	NCAC	03L	.0603
Readopt without Changes*				

The rules in Subchapter 3M concern mortgage lending including general mortgage lending (.0100); licensing (.0200); education and examinations (.0300); reporting and notification requirements (.0400); record and bookkeeping requirements (.0500), origination practices (.0600); and servicing (.0700).

<u>Definitions</u>	04	NCAC	03M	.0101
Readopt with Changes*				
<u>Notices</u>	04	NCAC	03M	.0102
Readopt without Changes*				
<u>Application</u>	04	NCAC	03M	.0201
Readopt with Changes*				
<u>Nontransferability</u>	04	NCAC	03M	.0202
Readopt without Changes*				
<u>Name Changes</u>	04	NCAC	03M	.0203
Readopt without Changes*				
<u>Experience</u>	04	NCAC	03M	.0204
Readopt without Changes*				
<u>Financial Responsibility</u>	04	NCAC	03M	.0205
Readopt with Changes*				
<u>Surety Bond</u>	04	NCAC	03M	.0206
Readopt without Changes*				

<u>Reporting Requirements</u>	04	NCAC 03M .0401
Readopt without Changes*		
<u>Information Security Breaches</u>	04	NCAC 03M .0402
Readopt without Changes*		
<u>Termination of Operations or Employment</u>	04	NCAC 03M .0403
Readopt with Changes*		
<u>Records to be Maintained</u>	04	NCAC 03M .0501
Readopt without Changes*		
<u>Form and Location of Records</u>	04	NCAC 03M .0502
Readopt without Changes*		
<u>Seller Discounts for Use of Affiliated Mortgage Lender or...</u>	04	NCAC 03M .0602
Readopt without Changes*		
<u>Transfer of Servicing Rights</u>	04	NCAC 03M .0701
Readopt without Changes*		
<u>Requirements for Mortgage Services to Communicate Effecti...</u>	04	NCAC 03M .0702
Readopt without Changes*		
<u>Cessation of Foreclosure Activities During Pendency of Lo...</u>	04	NCAC 03M .0703
Readopt without Changes*		

INSURANCE, DEPARTMENT OF

The rules in Chapter 20 concern managed care health benefit plans including managed care definitions (.0100); contracts between network plan carriers and health care providers (.0200); provider accessibility and availability (.0300); network provider credentials (.0400); HMO quality management programs (.0500); and significant modifications to HMO operations (.0600).

<u>Contract Provisions</u>	11	NCAC 20 .0202
Readopt without Changes*		
<u>Carrier and Intermediary Contracts</u>	11	NCAC 20 .0204
Readopt without Changes*		

ALCOHOLIC BEVERAGE CONTROL COMMISSION

The rules in Subchapter 15B concern retail beer, wine, mixed beverages, brownbagging, advertising, and special permits. The rules include definitions and permit application procedures (.0100); general rules affecting retailers and brownbagging permittees (.0200); malt beverages and the wine retailer/wholesaler relationship (.0300); additional requirements for brownbagging permittees (.0400); additional requirements for mixed beverages permittees (.0500); special requirements for convention centers, community theatres, sports clubs, and nonprofit and political organizations (.0600); special occasions permits (.0700); culinary permits (.0800); wine and beer tastings (.0900); advertising (.1000); and effect of administrative action, fines, and offers in compromise (.1100).

<u>Fill or Refill Original Containers</u>	14B	NCAC 15B .0217
Amend*		
<u>Dispensing Alcoholic Beverages: Product Identification</u>	14B	NCAC 15B .0220
Amend*		

The rules in Subchapter 15C concern industry members, retail/industry member relationships, ship chandlers, air carriers, and fuel alcohol including definitions and application procedures (.0100); product approvals, listing procedures and product lists (.0200); packaging and labeling of malt beverages and wine (.0300); standards of identity for wine containers (.0400); general provisions for industry members (.0500); sales and deliveries of malt beverages and wine (.0600); alcoholic beverages, retailer/industry

member relationship and trade practices (.0700); ships chandler's permit (.0800); distillers and representatives (.0900); air carriers (.1000); fuel alcohol permits (.1100); and administrative action by commission (.1200).

<u>Labels to Be Submitted to Commission</u> Amend*	14B NCAC 15C .0302
<u>Labels Contents: Malt Beverages</u> Amend*	14B NCAC 15C .0303
<u>Label Contents: Wine</u> Amend*	14B NCAC 15C .0304
<u>Growlers</u> Amend*	14B NCAC 15C .0307
<u>Growlers: Cleaning, Sanitizing, Filling and Sealing</u> Amend*	14B NCAC 15C .0308
<u>Containers</u> Amend*	14B NCAC 15C .0403

BARBER EXAMINERS, BOARD OF

The rules in Subchapter 06F concern barber schools.

<u>Physical Structure</u> Amend*	21 NCAC 06F .0101
-------------------------------------	-------------------

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16Q concern general anesthesia and sedation including definitions (.0100); general anesthesia (.0200); parenteral conscious sedation (.0300); enteral conscious sedation (.0400); renewal of permits (.0500); reporting and penalties (.0600); and penalty for non-compliance (.0700).

<u>General Anesthesia Equipment and Clinical Requirements</u> Amend*	21 NCAC 16Q .0202
<u>Procedure for General Anesthesia Evaluation or Inspection...</u> Amend*	21 NCAC 16Q .0204
<u>Itinerant (Mobile) General Anesthesia Permit, Equipment a...</u> Amend*	21 NCAC 16Q .0206
<u>Annual Renewal of General Anesthesia and Itinerant (Mobil...</u> Amend*	21 NCAC 16Q .0207
<u>Credentials and Permits for Moderate Parenteral and Enter...</u> Amend*	21 NCAC 16Q .0301
<u>Moderate Parenteral and Enteral Conscious Sedation Clinic...</u> Amend*	21 NCAC 16Q .0302
<u>Itinerant (Mobile) Moderate Permit, Equipment and Evaluation</u> Amend*	21 NCAC 16Q .0304
<u>Annual Renewal of Moderate Parenteral and Enteral Conscio...</u> Amend*	21 NCAC 16Q .0305
<u>Procedure for Moderate Conscious Sedation Evaluation or I...</u> Amend*	21 NCAC 16Q .0306
<u>Credentials and Permits for Moderate Pediatric Conscious ...</u> Amend*	21 NCAC 16Q .0404

<u>Moderate Pediatric Conscious Sedation Clinical Requiremen...</u> Amend*	21	NCAC 16Q .0405
<u>Itinerant (Mobile) Moderate Pediatric Conscious Sedation ...</u> Amend*	21	NCAC 16Q .0406
<u>Annual Renewal of Moderate Pediatric Conscious Sedation P...</u> Amend*	21	NCAC 16Q .0407
<u>Procedure for Moderate Pediatric Conscious Sedation Evalu...</u> Amend*	21	NCAC 16Q .0408
<u>Annual Renewal Required</u> Amend*	21	NCAC 16Q .0501
<u>Payment of Fees</u> Repeal*	21	NCAC 16Q .0502
<u>Inspection Authorized</u> Amend*	21	NCAC 16Q .0503

APPRAISAL BOARD

The rules in Subchapter 57A cover licensing, certification and practice rules for appraisers including application procedures (.0100); licensing and certification (.0200); examination (.0300); general practice requirements (.0400); appraisal standards (.0500); and experience credit (.0600).

<u>Appraisal Standards</u> Amend*	21	NCAC 57A .0501
--------------------------------------	----	----------------